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September 29, 2003

Ex Parte

Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Re: Review of the Section 251 Unbundling Obligations of Incumbent Local Exchange Carriers, CC Docket No. 01-338; Implementation of the Local Competition Provisions in the Telecommunications Act of 1996, CC Docket No. 96-98; and Deployment of Wireline Services Offering Advanced Telecommunications Capability, CC Docket No. 98-147

Dear Ms. Dortch:

On Friday, September 26, 2003, Ed Shakin and Susanne Guyer of Verizon met with Robert Pepper, Don Stockdale and Simon Wilkie of the Office of Strategic Planning and Policy Analysis to discuss the need for clarity with respect to the broadband section of the August 21, 2003 Report and Order and Order on Remand and Further Notice of Proposed Rulemaking in the above proceeding as well as the impact of the EELs decision. Specifically, the Commission should clarify that there is no separate section 271 unbundling obligations for broadband switching and loops (or otherwise eliminate such obligation, if it is deemed to exist), otherwise any gains to be realized from the decision on fiber loops will be lost. The Commission should also make clear that fiber loops to multi-tenant premises should be treated as fiber-to-the-premises, regardless of the status of the ownership status of the inside wiring and riser cable in those buildings.

With respect to the EELs decision, the Commission should stay the effectiveness of its new rules for the reasons stated in the Joint Petition for Stay Pending Judicial Review filed by BellSouth, Qwest, SBC, USTA and Verizon on September 4, 2003.

Please let me know if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Ann D. Berkowitz".

cc: R. Pepper
 D. Stockdale
 S. Wilkie